

MAY 17 2002

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PTO/SB/21(08/00)
Approved for use through 19/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

2173

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/285,934
Filing Date	April 2, 1999
First Named Inventor	Randy Ubillos
Group Art Unit	2173
Examiner Name	Cao H. Nguyen
Attorney Docket Number	4860P2292

Total Number of Pages in This Submission

9

RECEIVED
MAY 23 2002
Technology Center 2100**ENCLOSURES (check all that apply)**☒ Fee Transmittal Form☐ Fee Attached☒ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

POSTCARD

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

or
Individual name

Thomas M. Coester, Reg. No. 39,637

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Signature

Date

May 7, 2002

CERTIFICATE OF MAILING (OR TRANSMISSION)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

May 7, 2002

Typed or printed name

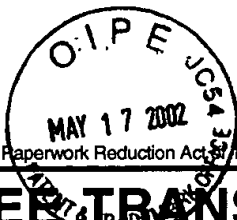
Lillian E. Rodriguez

Signature

Date

05/07/02

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PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number	09/285,934
Filing Date	04/02/99
First Named Inventor	Randy Ubillos
Examiner Name	Cao H. Nguyen
Group Art Unit	2173
Attorney Docket Number	4860P2292

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☒ None

☒ Deposit Account

Deposit
Account
Number
Deposit
Account
Name

02-2666

Blakely, Sokoloff, Taylor & Zafman

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account

FEE CALCULATION

1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
39	39** =	0 X 18.00 =	\$0.00
4	4** =	0 X 84.00 =	\$0.00

Multiple Dependent Claims =

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
103	203	18	9	Claims in excess of 20	
102	202	84	42	Independent claims in excess of 3	
104	204	280	140	Multiple Dependent claim	
109	209	84	42	**Reissue independent claims over original patent	
110	210	18	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

*or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Surcharge - late filing fee or oath	
127	227	50	25	Surcharge - late provisional filing fee or cover sheet.	
139	239	130	130	Non-English specification	
147	247	2,520	2,520	For filing a request for ex parte reexamination	
112	212	920	920	Requesting publication of SIR prior to Examiner action	
113	213	1,840	1,840	Requesting publication of SIR after Examiner action	
115	215	110	55	Extension for response within first month	
116	216	400	200	Extension for response within second month	
117	217	920	460	Extension for response within third month	
118	218	1,440	720	Extension for response within fourth month	
128	228	1,960	980	Extension for response within fifth month	
119	219	320	160	Notice of Appeal	
120	220	320	160	Filing a brief in support of an appeal	
121	221	280	140	Request for oral hearing	
138	238	1,510	1,510	Petition to institute a public use proceeding	
140	240	110	55	Petition to revive - unavoidably	
141	241	1,280	640	Petition to revive - unintentionally	
142	242	1,280	640	Utility issue fee (or reissue)	
143	243	460	230	Design issue fee	
144	244	620	310	Plant issue fee	
122	222	130	130	Petitions to the Commissioner	
123	223	50	50	Petitions related to provisional applications	
126	226	180	180	Submission of Information Disclosure Stmt	
581	2581	40	40	Recording each patent assignment per property (times number of properties)	
146	246	740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	740	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	279	740	370	Request for Continued Examination (RCE)	
169	269	900	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name	Thomas M. Coester, Reg. No. 39,637	Registration No. (Attorney/Agent)	Telephone	(310) 207-3800	
Signature	Thomas Coester			Date	05/07/02

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SC
#5
5/31/02

PATENT
Attorney's Docket No. 4860P2292

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Randy Ubillos

Serial No. 09/285,934

Filed: April 2, 1999

For: EDIT TO TAPE

Examiner: Cao H. Nguyen

Art Group: 2173

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MAY 23 2002

Technology Center 2100

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed February 27, 2002, in connection with the above referenced patent application, the Applicant respectfully requests entry of the following amendments and requests reconsideration in view of the following remarks.

REMARKS

In response to the above-identified Office Action, Applicant seeks reconsideration in light of the following remarks. In this response, no claims are amended. No claims have been cancelled and no new claims have been added. Accordingly, claims 1-39 are pending.

I. Claims Rejected Under 35 U.S.C. § 102(e)

Claims 1-39 stand rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,011,553 issued to Komiyama (hereinafter "Komiyama"). The Applicant respectfully disagrees for the following reasons.